

REMARKS

Reconsideration of the present application in view of the foregoing Amendments and following remarks is respectfully requested.

In this Amendment, claim 1 has been amended to more clearly define the claimed invention. New claims 13 and 14 have been added to provide Applicant with the scope of protection to which Applicant is believed entitled. Claims 1-6 and 13-14 are pending in the present application. This Amendment is supported throughout the original application. No new matter has been introduced through this Amendment.

Claim Rejections- 35 U.S.C § 102

The Examiner, in the instant Official Action, has rejected claims 1 and 6 under 35 USC § 102 (b) as being anticipated by Simizu et al. (US 4,041,518) (hereinafter "Simizu").

At the outset, Applicant notes that, in the instant Official Action *at page 3*, claims 1 and 6 are rejected based on Fig. 1, reference numerals 107 and 100 of Simizu. In contrast, it is apparent that Fig. 1 does not depict reference numerals 107 and 100. However, Applicant has interpreted this to be a typographical error and has considered Fig. 10 of Simizu which depicts the Examiner-identified reference numerals, 107 and 100, in responding to the outstanding Action.

This rejection is respectfully traversed because, amended independent claim 1 recites "A substrate with a microstructure formed thereon, the substrate comprising.....wherein,.. the temporary substrate along with the air gaps is adapted to be removed from the upper substrate after the manufacturing process of the device.. and the air gaps facilitate the removal of the temporary substrate" Applicant submits that this feature of amended independent claim 1 is supported at least in the specification at *page 11, lines 6-10*. This feature of amended independent claim 1 is not disclosed by Simizu. For example, Fig. 10 and col. 9, lines 15-44 which describes Fig. 10

(EMBODIMENT 6) of Simizu simply fails to disclose that the temporary substrate along with the air gaps is adapted to be removed from the upper substrate after the manufacturing process of the device. Therefore, withdrawal of the rejection of claim 1 is respectfully requested.

Further, claim 6 is directly dependent on amended independent claim 1 and hence is believed patentable over Simizu at least for the reasons advanced above with respect to amended independent claim 1. Therefore, withdrawal of the rejection of claim 6 is respectfully requested.

Patentability of new claims 13 and 14

New independent claim 13 is patentable over the applied art of record at least because, claim 13 recites "a plurality of air gaps are defined in between each of said projections, thereby minimizing stress applied to the upper substrate and the lower substrate" This feature of new independent claim 13 is supported at least in paragraph [0056] of the specification at *page 11* and Fig. 5 of the drawings. The Simizu reference does not disclose the above mentioned feature of new independent claim 13.

Further, claim 14 is dependent on independent claim 13 and hence is believed patentable over the applied art of record at least for the reason advanced above with respect to new independent claim 13.

Further, claims 2-5 are directly dependent on amended independent claim 1 and hence are believed patentable over Simizu at least for the reasons advanced above with respect to amended independent claim 1.

Conclusion

Each of the Examiner's rejection has been traversed/overcome. Accordingly, Applicant respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this

paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,
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Date: April 12, 2007